

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GODFATHER'S PIZZA, INC.;

Plaintiff,

vs.

**ANTON KAWAK; and EAST AND WEST,
INC., a Wisconsin corporation,**

Defendants.

8:22CV248

ORDER TO SHOW CAUSE

This matter comes before the court after a review of the docket and pursuant to NECivR. [41.2](#), which states in relevant part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff commenced this action on July 8, 2022. ([Filing No. 1](#)). On July 13, 2022, Plaintiff filed summons returns purporting to show the defendants were served on July 12, 2022. ([Filing No. 8](#)). On August 29, 2022, Plaintiff filed a motion for clerk’s entry of default ([Filing No. 9](#)) and the Clerk of Court entered default against the defendants on the same date ([Filing No. 10](#)). Plaintiff has taken no further action in this case. Plaintiff has a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules, see NECivR. 55.1; Fed. R. Civ. P. 55, voluntarily dismiss this case, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or this action will be dismissed. Accordingly,

IT IS ORDERED: On or before **December 19, 2022**, Plaintiff must show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 30th day of November, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge